

PROCEDURES RE MOTIONS/OBJECTIONS TO EXTEND/IMPOSE 11 USC §362 AUTOMATIC STAY PURSUANT TO §362(c), §362(l), §362(m) or §362(n)

1. Timing re Motions to Extend/Impose Automatic Stay Pursuant to §362(c):
 - a. Motion to Extend. A motion to extend the automatic stay pursuant to §362(c)(3) must be filed within ten (10) days after the order for relief.
 - b. Motion to Impose. A motion to impose the stay pursuant to §362(c)(4) must be filed within 30 days after the order for relief.
 2. Content of Motion Filed Pursuant to §362(c). The motion shall include the following information: (a) for each of the debtor's bankruptcy cases dismissed within the year prior to the filing of the current case, the case number, date of filing, date of dismissal and reason for dismissal, (b) specific information as to why the movant contends the current case was filed in good faith, (c) specific identification of the applicable presumption(s) that the case is not filed in good faith under §362(c)(3)(C) or §362(c)(4)(D), and (d) the basis for movant's contention that the presumptions should be rebutted.
 3. Filing of Motion/Objection AND Notice of Hearing - The moving party must timely file with the Clerk, U.S. Bankruptcy Court (i.e., if the 5-digit portion of the Case No. begins with "3" or "4", mail to 1001 SW 5th Ave. #700, Portland OR 97204; OR, if it begins with "6" or "7", mail to 405 E 8th Ave #2600, Eugene OR 97401), AND contemporaneously serve, BOTH of the following [NOTE: If you mail your documents to the court for filing, you MUST MAIL them at least 3 days before any filing deadline, unless you use an overnight delivery service, so they will actually be received at the court on time]:
 - A. A written Motion/Objection. Unless pt. 2 above applies, state the facts upon which the Motion/Objection is based.
- AND
- B. [ONLY required if filing a MOTION] A FULLY COMPLETED NOTICE OF HEARING using [Local Form \(LBF\) #721.5](#), INCLUDING the DATE and TIME of the hearing which must be CALCULATED as follows:
 1. Determine whether the case is a **PORTLAND** office case (i.e., the 5-digit portion of the Case No. begins with a "3" or "4"), OR if it is a **EUGENE** office case (i.e., the 5-digit portion of the Case No. begins with a "6" or "7").
 2. Hearings for both offices will be "Meet Me" style telephone hearings which must be set on the FIRST available Motion/Objection re Imposing/Extending Stay hearing date AND time (see pt. 3 below) for the correct office which is **AT LEAST SIX (6) AND NOT MORE THAN TEN (10)** calendar days after the date upon which you will SERVE LBF #721.5 and your Motion/Objection. For example, if your documents will be served on Wednesday the 9th, and the next available hearing dates are the 15th & 22nd, your hearing will be on the 15th.
 3. HEARING DATES and TIMES for the CORRECT OFFICE must only be obtained via either the "Calendars/Scheduling" button on the Internet at www.orb.uscourts.gov OR a recorded phone message (i.e., if a **PORTLAND** case call (503)326-1530, OR if a **EUGENE** case call (541)431-4038).